

EXHIBIT 3

TULARE COUNTY SHERIFF'S DEPARTMENT
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 01-11454

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to him. I confirmed with Officer Cerda that Madrigal was currently in custody at the Fresno County Jail and he was set for arraignment on 7-31-01. (see attached copy of photograph supplied by Officer Cerda).

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7-30-01 / 1640 hrs. / I along with Det. J. Huerta arrived at the Fresno County Jail and conducted a taped interview with Jesus Madrigal (AKA: Chato, Raul Sanches). Det. Huerta translated from English to Spanish during this interview. Madrigal was advised of his Miranda rights in which he stated that he understood all of the rights. The following is a summary of the information supplied by Jesus Madrigal. I asked Madrigal where he was at on 7-24-01. He stated that he was at his residence located at 39734 Rd 57 in Delft Colony. I asked Madrigal if he had been involved in any type of argument for physical confrontation with anyone. He stated that he did with a subject named Fernando Ruiz and he was assaulted by Ruiz. He said that Fernando and his wife Yvette came to his residence to fight. He stated that he did not see anyone else at the residence besides children. He said that Yolanda and Yvette became involved in a fight over a bicycle that Yolanda's sisters children had taken. I asked him to explain what had taken place. He said that Yvette arrived at the residence and told Yolanda that she was tired of her children and the problems they were causing. He said that Yolanda asked Yvette why she was becoming angry because it was just children and a bicycle. He said that Yvette told Yolanda "come out to the street you fucking bitch" because she wanted to fight. He said this was taken place while they were in the front yard. He said that Yolanda went out to the street and she and Yvette fought. He said that they fought until Yvette said that "it was it" and wanted to stop fighting because she was losing. He said that Fernando told Yvette to not stop fighting and to throw Yolanda to the ground. Madrigal said that he told Fernando that it was enough and for the both of them to separate them. He said that Fernando then struck him with a pair of brass knuckles in which he received a laceration just beneath his right eye. He said that he did not really know what was going on because Fernando also struck him to the left side of his face and head. He said that he was also injured to his chest and left ribs. Madrigal lifted his shirt and I observed a small red mark to the left side of his chest. I further observed Madrigal to have a blackened right eye with an approximately two inch laceration just beneath his right eye. Madrigal stated that he had passed out for about twenty minutes after he had been struck. He said that he does not recall what happened after that. He said that someone had picked him up and given him a ride out of town. He said that when he woke up he found that he was bleeding. When asked who had taken him out of town, he stated that he does not know his name but he lives on the north side of Lawrence at Rd 57. He stated that later that day he had went to his mother in laws house and he was told that Fernando and a person named Jimmy had a gun and were out looking for him. He

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said that he also learned that Fernando and Jimmy were also terrorizing his wives children and was telling them that they were going to kill them. I asked Madrigal if he was aware that someone had been shot during the time of this incident. He stated that he was not aware. I questioned Madrigal as to if he had a handgun and if he had shot it at anyone. Madrigal stated that he did not have a handgun or any firearm and did not shoot at anyone. Madrigal stated that he could not remember what had happened after he was struck by Fernando but stated that it "was possible" that he did shoot a gun. Madrigal continued to deny knowledge of shooting a gun and if he did he did not remember. Madrigal agreed that it was possible that he did have a gun and did shoot a gun although he would not admit to having possession of a gun prior to being struck by Fernando. I advised Madrigal that when he was arrested by the Parlier Police Department they had found a .22 cal. handgun in the area that he had ran. I asked him if he had a gun with him before he was arrested. Madrigal denied having possession of a gun. I asked Madrigal why witness's would say that they saw him shoot the gun and then run away. He said that he did not know. Madrigal had no additional information to supply and insisted that he was knocked unconscious by Fernando Ruiz and does not remember what happened after that. The interview with Madrigal in regards to this case was concluded at 1709 hrs..

7-31-01 / 0900 hrs. / I telephoned the number of 596-0674 that was supplied by Jesus Madrigal during our interview. Madrigal advised me that this was the telephone number for Irene Fernandez who is the mother of his wife Yolanda Fernandez. I was unable to make contact with Yolanda Fernandez but left a message for her to telephone.

7-31-01 / 1130 hrs. / I received a telephone call from Yolanda Fernandez, DOB 6-4-70 while at the Orosi Substation. I went over the case with Fernandez and requested that he meet to obtain a taped statement from her. During our conversation Fernandez stated that she did see Jesus Madrigal (Chato) shoot the gun at Fernando Ruiz. She stated that this was after Fernando had struck Jesus and cut his face. Fernandez stated that Jesus was not aiming the gun at Eunice at the time that he shot. Fernandez stated that she was currently out of town working but would call me back on 8-1-01 and set up a time to meet with me for the taped interview.

Nothing further at this time pending a taped interview with Yolanda Fernandez (Madrigal).

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DATE/TIME: July 31, 2001 (3:13pm)**REVIEWED BY:**

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